



Former Detainees Describe Horrific Conditions in CBP Detention

The following are excerpts from the statements of men and women subjected to appalling conditions in Customs and Border Protection (CBP) holding cells in the Border Patrol's Tucson Sector. Attorneys representing the plaintiffs and class members in *Doe v. Johnson* interviewed approximately 75 individuals detained in Tucson Sector Border Patrol holding cells prior to filing a class-action lawsuit challenging these conditions as unconstitutional and in violation of CBP's own standards. These former detainees were, collectively, held in cells located at all eight of the Border Patrol Stations located within the Tucson Sector.

All of the individuals subject to CBP detention provided remarkably similar accounts of the conditions within the detention facilities, including:

- Border Patrol agents overcrowd the holding cells.
- Border Patrol agents keep the temperatures so low that the cells are known as “hieleras”—the Spanish word for “icebox.”
- Because there are no beds, individuals must sleep on hard benches, the concrete floor, or—in at least one instance—in a van.
- The lights in the cells are left on all night and Border Patrol agents regularly wake the cell's occupants up throughout the night.
- Individuals are unable to wash their hands after using the toilet or eating because there is no soap or towels in the cells; they also are not allowed showers, no matter how many days they are detained.
- Border Patrol agents do not provide mothers enough diapers for their infant children or women with a sufficient supply of sanitary napkins.
- There often are not enough toilets and toilet paper is not restocked when needed.
- The cells are filthy and the smell is terrible.
- Individuals are not given enough to eat or are given food that is not edible.
- Individuals are not given enough water to drink.
- Individuals are not given medical assistance when they need it.
- Border Patrol agents engage in threatening, abusive and coercive conduct.
- Border Patrol agents do not allow individuals to make phone calls.

- Individuals detained in the CBP holding cells suffer physically and psychologically.

These accounts were provided over the course of the past year and demonstrate that intolerable conditions continue to exist in all of the Tucson Sector Border Patrol facilities.

Border Patrol agents overcrowd the holding cells:

- *I was placed in a cell that was about 15 feet by 20 feet ... [T]here were about 30 to 35 people in the cell. We were like cigarettes stuffed in there...[T]he second station ... was worse! The cell was a bit bigger but there were about 60 men in there or more. ... The benches and the floor were covered with men sitting, standing or lying down. To get around you had to walk on the benches and jump from bench to bench to avoid stepping on people...Sleeping here was horrible. It was so crowded we just had to lay any way we could, sometimes on our sides, so we could fit more people. If you moved, someone else would take your spot. —C.V.J.*
- *There were approximately 50 women and their children in the cell in Arizona...There was not enough room for everyone to lie down and some kids had to sleep near the toilet. If you got up, you would not have a space to sit when you came back. At times I was able to lie on the floor, but other nights it was so crowded that I had to sleep sitting up or kneeling. —M.E.*
- *I saw a “maximum capacity” sign outside the room that indicated forty people was the maximum number the cell could hold...Over time, more people arrived until there were close to sixty people in the cell. With that many people, there was no room to move and people were lying on the floor, including in the bathroom. —J.C.C.O.*

Border Patrol agents keep the temperatures so low that the cells are known as “hieleras” —the Spanish word for “icebox:”

- *The temperature in the cell was very, very cold...as hard as I tried I could not get warm. I now understand why dogs sleep in a little ball, to keep warm, but I couldn't even keep warm by doing that. We did ask the guards to change the temperature but the guards didn't change it... —V.H.R.G.*
- *We were not able to sleep all night because of the cold. At one point my six month daughter did fall asleep briefly and I laid her down on the cold concrete floor. She was able to sleep a little bit but she was shivering from the cold as she slept. —G.F.G.*
- *The cold made me sick. I felt like I had a fever. My body hurt and I had a headache. My lip started blistering as well. —M.J.L.M.*
- *It was so cold [in the cell], I had a severe headache and backache ... The Border Patrol agents took my sweater from me...so all I was wearing was a short sleeve shirt...I tried to curl up on the floor and huddle with some of the other women...but I was not able to get warm. During the night, I would wake up often and walk around the cell to try to warm myself up. —V.R.A.*

Because there are no beds, individuals must sleep on hard benches, the concrete floor, or—in at least one instance—in a van:

- *They detained me around midnight ... and we were kept in the van for more than twenty four hours. The agents drove around with us and then parked overnight while we slept in the van. There were five of us in the van...The van was cold and they didn't give us covers...There was very little room in the van for the five of us and we were crowded in the space, especially when we tried to lie down to sleep. —J.B.C.*
- *There were no beds in the cell and we were not provided any blankets or other bedding. My daughter tried to sleep on the bench and I sat up so that she could at least rest her head on my lap...I was not able to sleep at all because my daughter would have fallen off the bench if I had moved. —B.C.L.*
- *There were no beds in the cell and we were not provided any real blankets, they only gave us an aluminum sheet. I had to try and sleep standing. I gave my place on the concrete floor to another man who was hurt...I did not sleep all night because I was standing. I was one of 15 people standing that night. —F.M.E.*
- *I was kept in this cell for 76 hours. I spent three nights in this cell. There were no beds in the cell and we were not provided any blankets or other bedding. I had to try and sleep on the concrete floor. Some people had to sleep in the bathroom because there was not space for everyone to lie down...It was very difficult to sleep because the floor was so hard and because there were so many people. — J.B.C.*
- *I had to try to sleep on the floor but I still could not sleep because of the cold. It was like trying to sleep on ice. —M.R.Z.D.*

The lights in the cells are left on all night and Border Patrol agents regularly wake the cell's occupants up throughout the night.

- *It was also difficult to sleep because we were called out four times for interviews over the course of the night. One of those times we had to wait five and half hours... we had to stand for those five and half hours. We were already tired from walking in the desert and I was exhausted from standing and holding my daughter for so long. —G.F.G.*
- *It was also difficult to sleep because the guards would talk with us or hit the windows to get our attention. The light was always on so it was also hard to sleep. —M.J.L.M.*

Individuals are unable to wash their hands after using the toilet or eating because there is no soap or towels in the cells; they also are not allowed showers, no matter how many days they are detained:

- *There was one sink but no soap or towels. Most people had spent a lot of time in the desert and were very dirty, but it was impossible to really wash your hands or clean yourself after using the toilet, The conditions became disgusting with so many people packed into a cell in this way. —N.G.P.*

- *There was one sink in the cell but it did not work. There was also no soap or paper or cloth towels. It was impossible to wash your hands or clean yourself after using the toilet. —J.A.M.B.*
- *The smell was so bad because we could not shower. People had been trying to cross the desert for days and we all smelled. It was awful, just very ugly. —C.V.J.*

Border Patrol agents do not provide mothers enough diapers for their infant children or women with a sufficient supply of sanitary napkins:

- *For the first 19 hours in detention, the agents did not give me any diapers for my one and half year old daughter. She dirtied her diaper and had to spend the whole night with a dirty diaper. —N.M.M.*
- *I did not receive enough diapers for my daughter. When we asked for more, the agents would say “wait, wait, there aren’t any.” They would only give us 2 diapers per child in the morning and sometimes another at night. This was particularly a problem when a child had diarrhea, like my daughter had. —M.E.*
- *While I was detained, I had my menstrual period and so did a few other women. Each of us were only given two sanitary pads each day. This was not enough and other women shared their unused pads with me. When we asked the guards for more pads, we were denied and told that there were no more. —V.R.A.*

There often are not enough toilets and toilet paper is not restocked when needed:

- *There were approximately 50 women and their children in the cell...There was one toilet in the cell. There was one sink attached to the toilet. —M.E.*
- *[T]here were close to sixty people in the cell...There was not enough toilet paper for everyone. When we ran out of toilet paper, the guards did not bring us more right away, sometimes we had to wait for hours or more. —J.C.C.O.*
- *There were between 30-40 other people in the cell...There was one toilet in the cell. —N.G.P.*

The cells are filthy and the smell is terrible:

- *There was no waste bin in the cell so the trash was piled in the corner of the room. Toilet paper was thrown on the floor. The odor was awful because some kids had diarrhea and the mothers did not have soap to wash their hands after cleaning them or changing their diapers. The cell was cleaned once a day but we still had no way to wash our hands. —M.E.*
- *The cell was very dirty for our entire time there. There were diapers, toilet paper and other trash strewn around the bathroom area when we arrived. No one came to clear the cell and the smell was terrible. We were not able to clean because there was no trash can. —G.F.G.*

Individuals are not given enough to eat or are given food that is not edible:

- *We were not given food until Saturday afternoon [after being detained the night before]. In order to eat the first night, we found some crackers that were lying on the ground and left over from the other families. We divided the crackers amongst the four children in the cell but my son kept crying and saying that he wanted food. —M.V.H.*
- *When I arrived they said they had already fed the rest of the detainees so I was not given food. They did not even give me food the next day before transferring me... They also did not give me food in the second cell nor was there any water container. At that point I had not eaten for almost two days. — J.A.M.B.*
- *When we were detained were already hungry and tired. We had not eaten for an entire day and a half... We were given something to eat twice a day. The food consisted of only crackers and juice. It was very little food and my son and I were very hungry... My son cried because he was hungry. —D.G.B.*
- *I was seven months pregnant... I spent a total of 24 hours in a cell... The whole time I was [there] we were only given snacks twice. These snacks were crackers and juice. It was not sufficient for me and I was extremely hungry. —Y.R.P.L.*
- *I was hungry the entire time... We would be given a small burrito, crackers and a small juice. But sometimes we wouldn't even get the burrito. Sometimes they would bring us food in the middle of the night when we were sleeping and it would be very cold by the time people woke up. Burritos would lie on the cold ground during the night. When we asked for more food, it was never given. The food was never enough, and I was very hungry. —N.G.P.*
- *The only food we received was a packet of crackers and an orange, which we were given once daily. I was extremely hungry and exhausted the entire time I was detained. —R.V.M.*
- *We ate the food the first time it was given to us because we were very hungry but it gave us diarrhea and made my daughters vomit. We also noticed that the juices were already expired. —D.G.M.*
- *One time some of us received burritos in tortillas that had gone bad and were black all over. We did not eat the burritos because they had gone bad. —G.H.S.*

Individuals are not given enough water to drink:

- *There was no water cooler in our cell so we were not able to drink water for the entire first day... We had to ask several times for water and only on our second day did they bring us a water cooler. We were all very thirsty because we had not had sufficient water. —D.G.B.*
- *[W]e were kept in the van for more than twenty four hours... They did not give us food or water that whole time. I was already thirsty and hungry because I had not had water for an entire day. In fact, I had turned myself in because I was out of water. I asked for water and they responded that they did not have any. —*

J.B.C.

- *There was a water container in the cell, but no cups. We would run out of water often because there were so many people and the guards would not listen when we asked for more. We could only drink the smallest amount to get by. — N.G.P.*
- *There was one sink in the cell but it did not work...There was no drinking water in the cell. I was not able to drink water for the [16 hours I was in this cell]. — J.A.M.B.*
- *We were not given water and there was no water container...I saved my extra juice for my [three year-old] daughter because she was thirsty. We had to ask permission to go outside to the water containers, but there was no cup...so we were not able to drink the water. I was very thirsty... — F.E.G.G.*
- *There was a water container in the cell...but no cups...I asked for a cup and the agent said that they would not give out cups and I would have to squat down to drink the water as it fell out. — I.V.L.G.*

Individuals are not given medical assistance when they need it:

- *[After being treated for a broken ankle], I was released from the medical facility with prescription medication for the pain. But Border Patrol agents took those pills from me. While I was in detention, I yelled from the pain and begged for the pills. But the agents refused to give them to me. Only once in my entire time in detention was I allowed to take my prescription...I felt like I was going to die because the pain was so bad. I could not breathe. — Y.R.P.L.*
- *I told a guard that...I was sick and he said "I am not a doctor." He said that even if he had pills he wouldn't give them to me...[A] guard took [my medicine] away and said he wouldn't give them to me. I was taking medication for an ovarian cyst...I was supposed to take the medicine for five days but had only taken two or three days of the medicine when I was detained. — M.J.L.M.*
- *The agents ignored me when I tried to tell them that my [20 month-old] daughter was sick. When they finally answered me, they said that they could not give her the medicine that I had for her in my belongings. They would not do anything else for her. — M.E.*
- *I take medicine for a heart ailment, I have heart problems, I get attacks where my... left arm goes numb. I have a prescription for this ailment. I take three pills twice a day. I did not have this prescription with me when I was picked up...I told the agents I had this heart ailment but the agents told me that they could not prescribe anything there. — F.M.E.*
- *During my time in detention, I would have liked medical treatment for a large, deep gash...on my chest...But when I showed it to an agent he said nothing. I didn't bring it up again because they don't listen, they get mad just by us talking. — L.C.V.M.*

Border Patrol agents engage in threatening, abusive and coercive conduct:

- *[The agents] said that if we made too much noise they would take our food ... away. They said that if even one person made loud noise they would punish us all. So we tried to stay as quiet as possible because we were worried that our food would be taken away. —J.A.M.B.*
- *We asked the guards to change the temperature but they would not...Instead, the guards told us that if we did not keep quiet they would make it even colder. —C.V.J.*
- *When I was screaming in pain, I was told not to cry because I was just going to be deported to Guatemala and there was nothing I could do. —Y.R.P.L.*
- *I am currently five months pregnant. When I arrived at the Border Patrol station, I told the agents I was pregnant, but the agents were very hostile and did not believe me. They insulted me and poked my stomach and said there wasn't anything there. —J.S.M.P.*
- *While I was detained...a male Border Patrol agent told me that if I didn't sign the documents he showed me that I would be detained longer. Then the same agent took a picture of me with his cell phone and he said he was going to send it to the Zetas [a powerful and violent criminal organization in Mexico]. When I asked why, the agent told me it was because I did not want to give him information about drugs. But I did not know what he was talking about because I did not have drugs or anything like that. By saying all of this, he forced me to sign documents I did not understand. —F.M.E.*
- *I told [the agents] I was seeking asylum and that I wanted to see a judge, but the agents told me I was just here to work and that I didn't have the right to see a judge because I broke the law. They had me sign a lot of other papers without explaining to me what they were. —M.L.L.L.*
- *One of the agents told me that they were going to take away my [six year old] son. They said that my child would stay in the U.S. and they would deport me. I said that I did not want to be separated from him. The agents responded that the U.S. didn't want any more Guatemalans...I signed various documents that I did not understand. I asked the agent to explain the papers but they just said "sign"...[and] that I did not have the right to know whether or not they were my deportation papers...While I was detained I was very sad and afraid that the agents would take away my son. I cried because of my situation. My son was also crying. —A.V.M.*

Border Patrol agents do not allow individuals to make phone calls:

- *I asked for a phone call to the consulate and they said that I could not make the call. I said that it was my right to talk to the consulate and they said that we didn't have rights there and would have to wait until the consulate visited. —J.A.M.B.*
- *I asked for a phone call. I was told that we could not make a phone call, and that we were all just going to be deported. Other people ask[ed] for phone calls too. They were told that the consulate is not the person in charge, the guards were the people in charge and they were going to be deported. —Y.R.P.L.*

- *I asked to use the phone to call my family and was told that I could not make any phone calls at all and was never allowed to make one phone call...I was never informed that I had a right to call the Mexican consulate. —C.V.J.*

Individuals detained in the CBP holding cells suffer physically and psychologically:

- *My [five year old U.S. citizen] daughter cried constantly, [and asked] “why are we trapped here?” —B.C.L.*
- *The conditions in the Border Patrol custody were truly inhumane and degrading. It felt like we were prisoners of war. —J.C.C.O.*
- *I felt humiliated by the treatment that I received...This treatment is unnecessary. —J.B.C.*
- *My head hurt from dehydration because it had already been almost a day since I had drank water. —F.E.G.G.*
- *I felt terrible while I was detained, mostly because I had to watch my [fifteen and nine year-old] daughters suffer and cry due to the terrible conditions. —I.V.L.G.*